

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BOYKIN JONES, #115 033

*

Petitioner,

*

v.

*

2:08-CV-476-WHA
(WO)

LOUIS BOYD, WARDEN, *et al.*,

*

Respondents.

*

ORDER

On July 3, 2008 the Magistrate Judge filed a Recommendation in this case (*Doc. No 4*) to which objections have been filed. (*Doc. No. 5*.) Upon an independent review of the file in this case and upon CONSIDERATION of the Recommendation of the Magistrate Judge and the objections thereto, said Recommendation is hereby adopted, and it is

ORDERED that the instant petition be DISMISSED as Petitioner has not presented a cognizable cause of action under 28 U.S.C. § 2254.¹

A judgment in accordance with this Order shall be entered separately.

¹Petitioner may attempt to obtain a copy of his trial transcript by submitting a request for same with the trial judge, or alternatively, he may request a copy of his transcript from the court reporter who transcribed his trial proceedings. If a reasonable period of time has passed without a response to his request, Petitioner may file an appropriate motion inquiring about the status of his pending transcript request.

Done this 30th day of July, 2008.

/s/ W. Harold Albritton
SENIOR UNITED STATES DISTRICT JUDGE